

## II. REMARKS

### A. Introduction

In the Office Action, claims 1-9 are noted as pending and are rejected based on prior art.

In summary of this Response, claims 2, 3, 5, 7 and 9 are cancelled, claims 1, 4, 6 and 8 are amended, and remarks are provided.

### B: Rejections of Claims 1-9. Under 35 U.S.C. § 102

These claims have been rejected as being anticipated by Sekioka, U.S. Patent No. 4,836,309. The Action suggests that the features of independent claims 1, 4, 6, and 8 are taught by the reference, citing Col. 2, line 66 to Col. 3, line 7, 23-24 and 33-34. As for dependent claims 2, 3, 5, 7 and 9, the Action alleges that the features thereof are also taught in these passages.

As noted above, claims 2, 3, 5, 7 and 9 are cancelled. Claim 1 has been amended to include the limitations of claims 2 and 3; claim 4 has been amended to include the limitations of claims 5 and 3; claim 6 has been amended to include the limitations of claims 7 and 3; and claim 8 has been amended to include the limitations of claims 9 and 3.

It is respectfully submitted that that present invention, as recited by amended claims 1, 4, 6 and 8, was neither anticipated nor rendered obvious by the cited prior art for the following reasons.

Sekioka relates to an electronic weighing instrument. A contact IC card 6 must be inserted into the instrument. See, e.g., Fig. 1, Col. 2, lines 26-27, Col. 3, lines 22-24 and Col. 4, lines 17-19 and 50-58. A weight of a commodity is measured and a price of the commodity is calculated. The price is stored in the contact IC 6 card and displayed on a display 4, or printed. See also, abstract, Col. 2, line 66 to Col. 3, line 34.

Sekioka fails to disclose or suggest a commodity sales mediation apparatus comprising non-contact information reading means which reads in a non-contact fashion, as recited in independent claim 1. Amended independent claims 4, 6 and 8 have similar recitations.

Sekioka functions only by insertion or contact as noted above, and Sekioka nowhere suggests a need or a means for non-contact reading.

Sekioka also fails to disclose or suggest the commodity information outputting means for outputting commodity information selected based on the purchased commodity information read by said non-contact information reading means, as recited in amended independent claim 1.

Amended independent claims 4, 6 and 8 have similar recitations.

Sekioka also fails to disclose or suggest the commodity information output means, as recited in claim 1, which outputs the presented commodity information through electric communication means (see e.g., Fig. 1, store server 30, Internet 40, of the present invention). Claims 4, 6 and 8 have similar recitations.

### III. Conclusion

In light of the above amendments and remarks, it is respectfully submitted that claims 1, 4, 6 and 8 are now in condition for allowance.

If there are any additional fees associated with filing of this Response, please charge the same to our Deposit Account No. 19-3935.

Finally, if there are formal matters remaining after this Response, the undersigned would appreciate a telephone conference with the Examiner to attend to these matters.

Respectfully submitted,

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